

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL NO. 04-30124-MAP

ALEX DELGADO, Petitioner,

vs.

KATHLEEN M. DENNEHEY, Respondent.

PETITIONER'S ASSENTED-TO MOTION TO
AMEND SCHEDULE FOR LITIGATION OF
RESPONDENT'S MOTION TO DISMISS

Petitioner Alex Delgado moves the Court for an order enlarging to November 7, 2006 the time in which he is to file his Opposition to Respondent's Motion To Dismiss, and rescheduling the hearing on Respondent's motion to November 17, 2006 at 2:30 p.m., and states in support:

1. On June 5, 2006 the Court issued a scheduling order under which Respondent was directed to file dispositive motions by July 7, 2006; Petitioner was to file his opposition by August 7, 2006; Respondent was to file her reply by August 21, 2006 and the Court was to hear argument on August 29, 2006. With Petitioner's assent, Respondent was permitted to file her motion to dismiss on August 25, 2006 and the schedule was revised to require Petitioner to file his opposition on or before September 18, 2006.

2. Petitioner's counsel has not been able to complete Petitioner's opposition to Respondent's motion to dismiss within the period scheduled. After consulting with Ms. French regarding the Court's schedule, undersigned counsel and Assistant Attorney

General Annette Benedetto agreed to request the mutually convenient dates of November 7, 2006 for filing Petitioner's Opposition and November 17, 2006 for the hearing.

WHEREFORE, Petitioner Alex Delgado moves the Court for an order allowing him to file his Opposition to Respondent's Motion To Dismiss on or before November 7, 2006 and rescheduling the hearing on Respondent's Motion to November 17, 2006.

Respectfully submitted,
ALEX DELGADO, PETITIONER

By /s/ John M. Thompson
John M. Thompson
Federal Bar No. 22530
Thompson & Thompson, P.C.
1331 Main Street, Suite 320
Springfield, MA 01103
[413] 739-2100
[413] 739-2300 facsimile

Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper will copies will be sent to those indicated as non registered participants on October 4, 2006.

/s/ John M. Thompson